REMARKS

The Examiner's outstanding Office Action of September 20, 2006 has been carefully considered. By this amendment a number of claims have been amended so as to more clearly state the invention. Claim 20 incorporating the limitations of claims 21 and 27 has been rewritten as new claim 44. Two amendments to the specification have been made to correct typographical/clerical errors. In the Abstract, line 2 "remote a" has been deleted to correct a typographical/clerical error. A new Abstract appears on a separate sheet and accompanies this electronically filed amendment.

An apparatus which embodies the present invention makes it possible for an individual operating or working in a region being monitored to communication, bidirectionally, with a variety of displaced devices including a displaced common control console for a system which is monitoring the region. In accordance with one embodiment of the invention, the individual can use a portable handheld device, which communicates wirelessly with a variety of units, coupled to the monitoring system.

The present system only needs a singular communication system between detectors, or nodes. The user can then wirelessly also communicate via the same medium.

Instructions or commands or inquiries can be dispatched by the individual via the handheld device, to displaced units of the monitoring system which can include a variety of ambient condition detectors such as smoke detectors, fire detectors, intrusion detectors, pull stations, output devices or the like all without limitation. The devices or units coupled to the monitoring system need not be identical.

One of the units coupled to the monitoring system can be an operator's control console which can provide graphical indicia to an operator as to status of various conditions in the region being monitored. Messages can be sent to and from the handheld devices between the control console as well as to and from the handheld device and any of the other units in the system including those which are coupled via that medium to the control console. For example,

embodiments of the invention enable a user to transmit a message, via a local device, to the displaced control console via that medium.

Unlike the claimed structures, Johnson et al. U.S. patent 6,970,077 discloses an apparatus which has a plurality of substantially identical detectors, see FIG. 2 thereof which are identified therein as "an interconnected detector system 28 which incorporates a plurality of substantially identical detectors 30". (Col. 3, ll. 59-61, Johnson et al.)

Systems as the type described above, and illustrated in FIG. 2 of Johnson et al. operate without, and teach away from, the use of operator consoles. The members of the substantially identical group of detectors can communicate with one another via cable 32. The lack of any need for a control console makes such systems very cost effective for residences.

In numbered section 4 of the Office Action, pages 2, 3 et. seq. the Examiner properly noted on page 3, lines 13 through 15 of the Office Action that Johnson et al. fails:

> "to disclose a common control console displaced from at least some of the nodes and in communication therewith via the medium for controlling operation of the nodes and displaying node's sensor status to user."

Indeed the interconnect system of Johnson et al. does not need a common control console and is designed to operate without same. We also note that the "medium" noted by the Examiner above corresponds to cable 32 in Johnson et al.

Rhoades et al. combined with the primary document Johnson et al. in fact teaches away from the Examiner's conclusion of obviousness of claims 20-23, 25, 27-36, 39, 40. Rhoades et al. requires two different communication media. One medium corresponds to the local area network 30 whereby the sensor agents 20 communication with a variety of user interfaces 35. However, Rhoades et al. requires a supplemental medium 45 for communicating among sensor agents 20 as well as portable device 40. The portable device 40 does not communicate via the network 30 in Rhoades et al. In this regard, the Examiner's attention is directed to the following commentary from Rhoades et al.:

> "One feature of the present invention is that the portable device 40 can be used to access the sensor agent 20 through sub-network or second network 45. Because each of the sensor agents 20 is capable of wireless communication with the other sensor agents 20, a sub-network 45 may be established between all of the sensor agents 20. And because the sensor agents 20 communicate with all of the sensors 15, this sub-network 45 can provide data from all of the sensors 15 onboard the ship or in the building. The sub-network 45 can be accessed through a sensor agent 20 by portable device 40. This allows a user to access the environment monitoring system 10 through any sensor agent 20." (Col. 7, ll. 1-11)

Thus, in Rhoades et al. user interfaces 35 communicate with sensor agents 20 via the local area network 30. However, portable device 40 does not use network 30. Rather it takes advantage of communications between agents 20 via supplemental network 45. Rhoades et al., having two different networks 30, 45 teaches away from Johnson et al. which implements his functionality using only a singular cable 32. In attempting to justify a rejection, the Examiner on page 3 of the Office Action, lines 17-20 has failed to address specific wording of the rejected claims. In the rejections, the Examiner has stated:

> "(each node includes sensor agent 20, interface 25 and sensors 15) and at least a common control console (user interface 35, portable device 40) communicate with each other via medium (wired or wireless via LAN 30) or medium (wireless via network 45)."

The deficiency in the above assertions lies in the fact that Rhoades et al. requires two different networks, LAN 30, which communicates with user interfaces 35 and the supplemental network 45 which communicates between sensor agents 20. This is inconsistent with and not in accordance with any of the pending claims. Further, it teaches away from the disclosure of Johnson et al. which as noted above makes very efficient use of a single cable 32. In this regard,

the Examiner's attention is directed to the wording of pending claim 44 (original claim 20 amended to include previously pending claim 27):

> "A system comprising:
>
> a plurality of spaced apart nodes, substantially all of the nodes of the plurality each include circuitry for directly communicating with one another via a medium:
>
> a common control console displaced from at least some of the nodes and in communication therewith via the medium . . . and circuitry for determining that at least one node is not a final recipient of a communication received from the portable displaced source and circuitry for forwarding the received communication to at least one additional node." (new claim 44)

As is clear from the above quoted wording, the structure of Rhoades et al. having local area network 30 and supplemental network 45 does not correspond to and is different from the claimed structure. The Office Action is silent relative to the above differences and has not addressed this deficiency in Rhoades et al. Hence, as explained above the need of Rhoades et al. to have two different networks namely 30 and 45 is inconsistent with and also teaches away from a modification of Johnson et al. as argued by the Examiner in support of these outstanding rejections.

Further at the top of page 4 of the Office Action the Examiner stated in lines 4-8:

> "it would have been [sic] to one of ordinary skilled in the art to incorporate at least a common control console in the system of Johnson comprising a plurality of spaced apart nodes for displaying node's status to an operator/user and controlling the operation of nodes at the console via two way communication."

It is submitted that Johnson et al. clearly teach away from any need for a common control console and one of ordinary skill in the art would not have modified Johnson as argued by the Examiner. Further, the above conclusion fails to address once again the fact that Rhoades et al. requires two different networks namely 30 and 45 to implement its functionality which takes place in a substantially different way than does Johnson et al. Hence, for at least the above reasons it is submitted that the teachings of Johnson et al. and Rhoades et al. alone or in combination are so different as to fail to present a proper *prima facie* case of obviousness relative to the rejected claims namely 20-23, 25, 27-36, 39, 40. It is requested that those rejections be withdrawn for at least the above reasons.

Further it has been recognized that:

> "If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious." (MPEP 8th Ed., rev. 5, page 2100-138)

The Examiner's proposed combination of Johnson et al. in view of Rhoades et al. is inconsistent with the above holding from the MPEP and prior holdings of the CCPA, now adopted by the Federal Circuit. It is unequivocal that Johnson et al. is directed to a system of interconnected detectors which implements that functionality using a single medium and without any control console. Rhoades et al. not only provides for a plurality of user interfaces such as elements 35 it teaches the use of two different communications systems, namely, local area network 30 and additional supplemental network 45. All of these are inconsistent with the structure and teachings of Johnson et al. and the Examiner's proposed modification of Johnson et al. so as to make the pending claims obvious will improperly "change the principle of operation of" Johnson et al. Thus for these additional reasons it is submitted that the pending claims are allowable and allowance thereof is respectfully requested.

It is also believed that the above-noted amendments have addressed the outstanding Section 112 objections. Further, by this amendment, a minor typographical error has been corrected in the Abstract and in the paragraphs of the application corresponding to numbered paragraphs 23, 24 of the published counterpart application.

Allowance of the application is respectfully requested.

Respectfully submitted,

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